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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,497	03/08/2001	Koji Furutani	36856.445	8899

7590 04/05/2004

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EXAMINER

PHU, SANH D

ART UNIT	PAPER NUMBER
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2682

10

DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/801,497

Applicant(s)

FURUTANI ET AL.

Examiner

Sanh D Phu

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,4,7-11,14 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,7-11,14 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 2,3,5,6,12,13,15 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other:

DETAILED ACTION

*Claim Rejections – 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1,4,7-11,14,17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt (6,332,071), newly cited, in view of Chorey et al (6,154,664), prior art of record.

Regarding to claim 1 and 11, see Fig. 1, 2, 3 and 4, col. 2 line 34 to col. 4, line 45, Brandt discloses a mobile communication device/dual band cellular phone (see Fig. 4) having a plurality of communication systems supporting different frequency bands, comprising:

an antenna (11) (see Fig. 4);

a transmitter (4, 4') for each of the plurality of communication systems

(see Fig. 4);

a receiver (13, 13') for each of the plurality of communication systems  
(see Fig. 4);

a diplexer (18) transmitting transmission signals from the plurality of  
communication systems to said antenna and distributing reception signals  
received via said antenna to the plurality of communication systems (see Fig. 4,  
col. 2, lines 60–67).

a high-frequency switch (14, 14') for each of the plurality of  
communication systems, arranged to switch the signals between said  
transmitter and said receiver (see Fig. 4, col. 2, lines 60–67).

Brandt does not disclose a directional coupler and gain control circuit, as  
claimed

Chorey et al disclose (see Fig. 3B) a directional coupler (12) between a  
diplexer (19) and an antenna (2) extracting portions of the transmission signals,  
and sending the results to an automatic gain control circuit (8) (See col. 5, lines  
1–8).

At the time of the invention was made, it would have been obvious for  
one skilled in the art to include in Brandt system a directional coupler and a

controller wherein the directional coupler places between a diplexer and an antenna in order to extract portions of RF signal to an amplifier controller in the transmitter, as taught by Chorey et al, so that the controller is able to control gain and offset of the output transmission power automatically without adjusting manually.

Therefore, it would have been obvious to combine Brandt's with Chorey et al's to obtain the invention as specified in the claim 1 and 11.

Regarding to claim 4 and 14, Brandt in view of Chorey et al further teaches filters (10,10',12,12'), which are being arranged subsequent to high-frequency switches and being connected to receivers (see Brandt, Fig. 4).

Regarding to claim 7 and 17, Brandt in view of Chorey et al further teaches that said plurality of communication systems include DCS and GSM systems (see Chorey, col. 1, lines 11-25).

Regarding to claim 8 and 18, Brandt in view of Chorey et al further teaches that a filter (6,6',5,5') is provided between said transmitters and said high-frequency switches (14) (see Brandt, Fig. 4).

Regarding to claim 9 and 19, Brandt in view of Chorey et al further teaches that a directional coupler includes a port (see Chorey, col. 5. lines 44–45)

Regarding to claim 10 and 20, Brandt in view of Chorey et al further teaches that said diplexer includes inductance elements (21,23,25) and capacitors (22,24,26) (see Brandt, see Fig. 5, col. 4, lines 46–60).

*Allowable subject matter*

3. Claims 2,3,5,6,12,13,15 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding to claim 2,3,5,6,12,13,15 and 16, non of the prior of record teaches the multiplayer substrate includes having a laminated body defined by a plurality of dielectric layers, the multiplayer substrate having said diplexer, said high–frequency switches, said directional coupler, the inductance element, the capacitor element, the primary line and secondary line.

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***Response to Arguments***

Applicant's argument filed on 3/4/2004 is rendering moot. However, claims 1,4,7-11,14,17-20 are deemed to be still rejected with reasons set forth above in this office action.

Applicant's argument with respect to objection on claim 1 and 11 are considered. The objection is now withdrawn.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703) 305-8635. The examiner can normally be reached on 8:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-301-6739. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-8635.

Sanh D. Phu  
Examiner  
Art Unit 2682

SP

  
VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

4/2/04